REMARKS

Initially, the Applicant respectfully submits that the above claim amendments merely clarify the previously recited limitations of the claims and thus none of the entered claim amendments require any further search or consideration.

The drawings are objected to for the reasons noted in the official action, e.g., the failure to show the first end face, the corresponding end face and the auxiliary transmission housing. All of the raised drawing objections are believed to be overcome by the requested drawing amendments accompanying the attached Submission. New Replacement Sheets of the formal drawings, accompany this Submission, and incorporate all of the requested drawing amendment(s). If any further amendment to the drawings is believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

The disclosure is objected to for the informalities noted in the official action. The above requested amendments to paragraphs 2-5, 12, 17, 18, 21, 23, 25, 27, 32, 33 and 38 of the specification overcome the informalities noted in the specification on file. Upon review of this application, it appears that none of the previously amendments, requested in the Preliminary Amendment accompanying this filing, were entered in this application. Accordingly, the Applicant is reentering all of the previously requested amendments at this time. The undersigned avers that the amended paragraphs of the specification do not contain any new subject matter.

Claim 11 is rejected under 35 U.S.C. § 112, first paragraph, for the reasons noted in the official action. The inadequate written description rejection is acknowledged and respectfully traversed in view of the following remarks.

Paragraph [033] of the specification states that

> . . .a damper element is arranged between the electric motor and the housing of the auxiliary transmission and between the electric motor and the housing of the main transmission unit, respectively, to ensure or achieve vibration decoupling

between the auxiliary transmission, the main transmission unit and the electric motor and to avoid juddering impact between these structural groups during operation.

Based upon this description, it is respectfully submitted that the claimed damper could be, for example, a piece of rubber, or some other conventional and well known damper material located between the connection of the end face of the electric motor with the mating end face of the main transmission unit housing. The specification is believed to clearly provide support for the previously submitted drawing amendment. Notwithstanding this clarification, the subject matter of claim 11 is canceled, without prejudice or disclaimer thereof, from this application and paragraph 33 and the previously requested drawing amendment are both accordingly amended.

Next, claims 8-16 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The rejected claims are accordingly amended, by the above claim amendments, and the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

Lastly, claims 8-10 and 12-16 are rejected, under 35 U.S.C. § 102, as being anticipated in view of Williams `474. The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

Williams `474 relates to an auxiliary transmission with a main transmission unit and some of the features claimed in the pending application. Williams `474, however, does not in any way teach, suggest or disclose some of the essential aspects of the present invention as recited, for example, in independent claims 8, 15 and 16, namely, that the electric motor 8 lies in the plane

which is coincident with the first and cooperating end faces 40, 41 and coincident with the coupling zone 18.

Although both the auxiliary transmission of the present invention and the transmissions shown by Williams `474 employ an electric motor to control operation of the clutch of the auxiliary transmission, the connections of the electric motor to the transmission are distinctly different. According to the present invention, as explicitly recited in claim 8, the electric motor is mounted in the coupling zone which is at the interface between the auxiliary transmission and the main transmission unit. That is, the electric motor is mounted in the same coupling zone or plane as the structural connection between the auxiliary transmission and the main transmission unit.

As clearly shown, for example, in Fig. 2 of Williams `474, and in fundamental and distinct contrast from the present invention recited in claim 8, Williams `474 positions the electric motor, controlling the auxiliary transmission clutch, vertically below the upper part of the auxiliary transmission housing and spaced from the structural connection between the auxiliary transmission and the main transmission unit. Williams `474 thereby places the electric clutch control motor at a significant distance away from any structural connection between the auxiliary transmission and the main transmission unit, which is the conventional practice. It is respectfully submitted that such connection interposes a significantly long structural "lever arm" between the electric motor and any possible support from the main transmission unit and would, in fact, exacerbate the vibration loading of and by the electric clutch control motor.

As a consequence, Williams `474 does not and cannot in any way teach, suggest or disclose the above discussed primary distinguishing features of claim 8, namely, placing the electric clutch control motor in the coupling zone formed at the connection between the auxiliary transmission and the main transmission unit to reduce vibration loading on and of the electric motor. It is, therefore, the Applicant's belief and position that Williams '474 fails to anticipate

claim 8, under 35 U.S.C. § 102, for the reasons discussed above. Accordingly, the Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claim 8 over Williams `474, and allow claim 8 as amended herein above.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, independent claim 8 of this application now recite the features of

> . . .an auxiliary transmission housing having a first end face (42) connected with a corresponding end face of (40) a main transmission unit housing in a coupling zone (18) defining a plane, and the plane defined by the coupling zone (18) being generally coplanar with the end faces (42, 40) of the auxiliary transmission housing and the main transmission unit housing . . . wherein the electric motor (8) is arranged and at least partially lies in the plane defined by the coupling zone (18) of the auxiliary transmission (31) with the main transmission unit (17).

Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

With respect to dependent claims 9, 10, and 12-14, which all depend from claim 8, those dependent claims all include the limitations of claim 8, as well as the additional limitations recited in each respective dependent claim. Those dependent claims are also patentably distinguished over and from the cited prior art for at least the same reasons that claim 8 is patentably distinguished over and from the cited prior art. The Applicant, therefore, respectfully requests that the Examiner reconsider and withdraw the rejections of claims 9, 10 and 12-14 over Williams `474, and allow claims 9, 10 and 12-14 as amended herein above.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, independent claim 15 now recite the features of

> . . . an auxiliary transmission housing having a first end face (40) with a corresponding end face (42) of a main transmission housing being connected with one another along a coupling zone (18) defining a plane. . .wherein the electric motor (8) is connected with the main transmission housing and at least

> partially lies within the plane defined by the coupling zone (18), and the electric motor (8), during operation of the, controls operation of the clutch (2) of the auxiliary transmission (31).

Independent claim 16 now recite the features of

> . . .an auxiliary transmission housing having a first end face (40) with a corresponding end face (42) of a main transmission unit housing being connected with one another along a coupling zone (18) defining a longitudinal plane which is coincident with the first and the corresponding end faces (40, 42). . .wherein the electric motor (8) is directly mounted to the first end face (40) of the main transmission housing and at least partially lies within the longitudinal plane defined by the coupling zone (18).

Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Williams `474 reference, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,

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Annotated Marked-Up Drawing

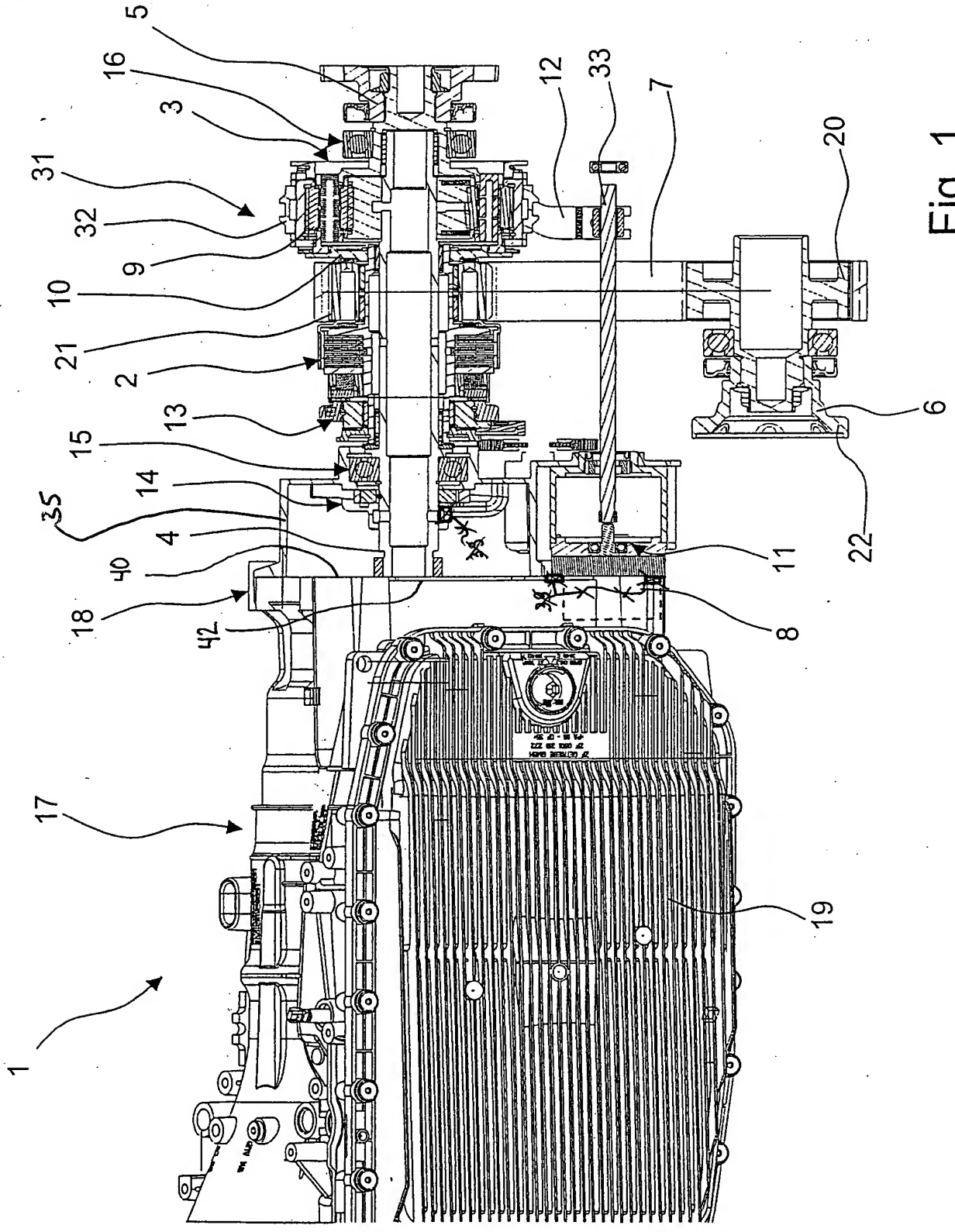

Fig. 1

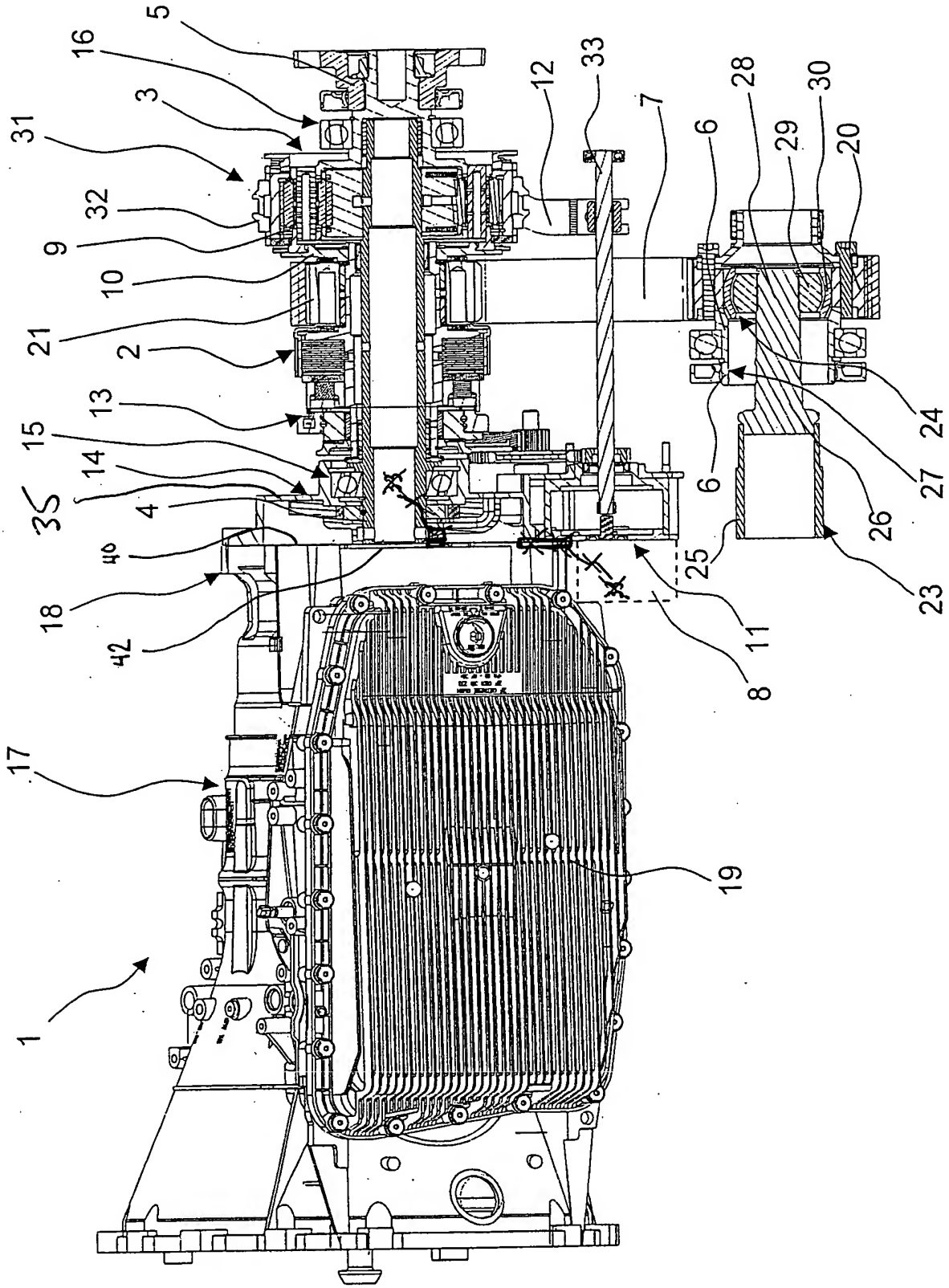
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Fig. 2